

# Exhibit A

Christopher L. Giddings, P.C.

Attorneys at Law

3000 Market Street, Suite 201

Philadelphia, PA 19104

Phone: (215) 243-3450      Fax: (215) 243-0626

Court of Common Pleas of Philadelphia County  
Trial Division

## Civil Cover Sheet

PLAINTIFF'S NAME <b>JUANITA LEWIS-HATTON</b>		For Prothonotary Use Only (Docket Number) <b>OCTOBER 2013</b> E-FILING Number: 1310016030 <b>000419</b>	
PLAINTIFF'S ADDRESS 3912 POPLAR STREET PHILADELPHIA PA 19104		DEFENDANT'S NAME WAL-MART STORES, INC	
PLAINTIFF'S NAME		DEFENDANT'S ADDRESS 2200 WHEATSHEAF LANE PHILADELPHIA PA 19137	
PLAINTIFF'S ADDRESS		DEFENDANT'S NAME	
PLAINTIFF'S NAME		DEFENDANT'S ADDRESS	
PLAINTIFF'S ADDRESS		DEFENDANT'S NAME	
TOTAL NUMBER OF PLAINTIFFS <b>1</b>		TOTAL NUMBER OF DEFENDANTS <b>1</b>	
		COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Other: <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input checked="" type="checkbox"/> \$50,000.00 or less <input type="checkbox"/> More than \$50,000.00		COURT PROGRAMS <input checked="" type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Other: <input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival	
CASE TYPE AND CODE <b>2S - PREMISES LIABILITY, SLIP/FALL</b>		STATUTORY BASIS FOR CAUSE OF ACTION	
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		<b>FILED PROTHOTRY</b> <b>OCT 09 2013</b> <b>M. TIERNEY</b>	
		IS CASE SUBJECT TO COORDINATION ORDER? YES      NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>JUANITA LEWIS-HATTON</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY <b>JOHN A. SPITALE</b>		ADDRESS CHRISTOPHER L.GIDDINGS, P.C. 3000 MARKET ST SUITE 201 PHILADELPHIA PA 19104	
PHONE NUMBER (215) 243-3450		FAX NUMBER (215) 243-0626	
SUPREME COURT IDENTIFICATION NO. <b>307457</b>		E-MAIL ADDRESS <b>john.spitale@chrisgiddingslaw.com</b>	
SIGNATURE OF FILING ATTORNEY OR PARTY <b>JOHN SPITALE</b>		DATE SUBMITTED <b>Wednesday, October 09, 2013, 10:52 am</b>	
FINAL COPY (Approved by the Prothonotary Clerk)			

USTED ESTA ORDENADO COMPARCER EN Arbitration Hearing 1880 JFK Blvd. 5th fl. at 09:15 AM - 06/30/2014  
 You must still comply with the notice below. USTED TODAVIA DEBE CUPLIR CON EL AVISO PARA DEFENDERSE.  
 This matter will be heard by a Board of Arbitrators at the time, date and place specified but, if one or more parties is not present at the hearing, the matter may be heard at the same time and date before a Judge of the court without the absent party or parties.  
 There is no right to a trial de novo or appeal from a decision in this arbitration matter.

By: John A. Spitalo, Esquire

Attorney Identification No.: 30745  
 3000 Market Street, Suite 201  
 Philadelphia, PA 19104  
 (215) 243-3450

**AN ASSESSMENT OF DAMAGES**

**HEARING IS REQUIRED.**

*Filed and Attested by*

*PROTHONOTARY*

*09 OCT 2013 10:52 AM*

*ATTORNEY FOR PLAINTIFF*

*PHILADELPHIA DISTRICT OF PENNSYLVANIA*

JUANITA LEWIS-HATTON	:	COURT OF COMMON PLEAS
3912 Poplar Street	:	PHILADELPHIA COUNTY
Philadelphia, PA 19104	:	
<i>Plaintiff</i>		
vs.		
WAL-MART STORES, INC	:	TERM,
2200 Wheatsheaf Lane	:	
Philadelphia, PA 19137	:	
<i>Defendant</i>		NO.:

**COMPLAINT-CIVIL ACTION**  
**NEGLIGENCE 2S- PREMISES LIABILITY / SLIP AND FALL**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgement may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your attorney at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association  
 Lawyer Referral and Information Service  
 One Reading Center  
 Philadelphia, Pennsylvania 19107  
 (215) 238-6333

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estos demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación, para hacer falta asentir una comparecencia escrita o en persona con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se aconseja que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio, vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra más abajo para averiguar donde se puede conseguir asistencia legal.

Asociación de Licenciados de Filadelfia  
 Servicio de Referencia e Información Legal  
 One Reading Center  
 Filadelfia, Pennsylvania 19107  
 (215) 238-6333

NOTICE TO PLEAD

To: Defendants

You are hereby notified to file a written response to the enclosed Complaint within twenty (20) days from the date of service hereof or a judgment may be entered against you.

Attorneys for Plaintiff

CHRISTOPHER L. GIDDINGS, P.C.  
By: John A. Spiale, Esquire  
Attorney Identification No.: 307457  
3000 Market Street, Suite 201  
Philadelphia, PA 19104  
(215) 243-3450

THIS IS AN ARBITRATION MATTER.  
AN ASSESSMENT OF DAMAGES  
HEARING IS REQUIRED.

ATTORNEY FOR PLAINTIFF

JUANITA LEWIS-HATTON  
3912 Poplar Street  
Philadelphia, PA 19104

*Plaintiff*

vs.

WAL-MART STORES, INC  
2200 Wheatsheaf Lane  
Philadelphia, PA 19137

*Defendant*

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

## TERM.

NO.

COMPLAINT CIVIL ACTION  
NEGLIGENCE 28 - PREMISES LIABILITY/SLIP AND FALL

**ALLEGATIONS COMMON TO ALL COUNTS**

Plaintiff, Juanita Lewis-Hatton, by and through counsel, hereby brings in civil action for damages sustained, and upon information and belief, against Defendant, Wal-Mart Stores, Inc., and she avers as follows:

1. Plaintiff, Juanita Lewis-Hatton, is an adult individual who resides at the address set forth in the caption above.
  2. Defendant, Wal-Mart Stores, Inc., is a business entity operating and regularly conducting business in the Commonwealth of Pennsylvania at the address set forth in the caption above.

3. Defendant owned, possessed, and/or controlled, and was responsible for the maintenance of the property and premises located at 2200 Wheatsheaf Lane, Philadelphia, PA 19137.

4. At all times relevant, and especially on the date and time of the accident alleged herein, Plaintiff was lawfully on the property and premises of the Defendants as mentioned above, as a business invitee, and as such was owed the highest degree of care by the Defendants.

5. On or about September 23, 2012, there existed on Defendants' premises, a dangerous and defective condition of said premises, i.e. an accumulation of spilled and crushed produce and other food left on the floor, that Defendants knew or should have known about.

6. On or September 23, 2012 the Plaintiff, Juanita Lewis-Hatton was at Wal-Mart Stores, Inc. shopping, when she was caused to trip, slip and fall on an accumulation of spilled and crushed produce and other food left on the floor, thus causing the Plaintiff to sustain severe, disabling, and permanent bodily injuries.

7. At all times material hereto, it was the duty and obligation of the Defendants, their agents, servants, and/or employees to keep and maintain the safety of the aforesaid property and premises in a safe condition, free from any dangerous conditions which would cause injury to people such as Plaintiff at said property and premises.

8. As a result of the accident the Plaintiff sustained serious personal injury, which may include injuries to the head, neck, back, upper and lower extremities, severe shock to the nerves and nervous system, including but not limited to Joint Pain in Pelvic and Thigh Region; Left Hip Pain and Low Back Pain; Abnormality of Gait; Pain Stiffness and Decreased Strength; Left Sided Hip Contusion; Sharp Lumbar Discomfort radiating through

buttock, leg, and groin, she has been required to take potent pain medication; she sustained further injury to the bones, muscles, nerves, and ligaments of her body, the full extent of which have yet to be determined, she sustained other injuries to her nerves and nervous system; she sustained other orthopedic, neurologic and psychological injuries, the full extent of which has yet to be determined; she has in the past been required and may in the future continue to be required to submit to x-rays, MRIs, and other diagnostic studies; she has in the past suffered and may in the future continue to suffer agonizing aches, pains and mental anguish.

9. As a direct result of Defendant's negligence, the Plaintiff was, is, and yet in the future, will be rendered sick, sore, lame, and disordered, and she has, yet does, and will in the future sustain pain, harm, damage, and suffering.

10. Plaintiff, Juanita Lewis-Hatton, cannot more specifically allege acts of negligence on the part of Defendant Wal-Mart Stores, Inc, for the reasons that the facts in that regard are peculiarly within the knowledge of said Defendant and, in the alternative, in the event Plaintiff is unable to prove specific acts of negligence and carelessness on part of said Defendant, the Doctrine of *Res Ipsa Loquitur* applies.

11. The doctrine of *Res Ipsa Loquitur* applies to this cause of action as the occurrence causing harm to Plaintiff, as described above, was one which, in the ordinary course of events, would not have occurred without negligence on the part of Defendant Wal-Mart Stores, Inc.

12. As a further result of Defendant's negligence, the Plaintiff has, yet does, and will in the future, sustain loss of earnings and earning power and has been, yet is, and will in the future be unable to attend to her usual duties, occupations and to the essentials of daily living.

COUNT I - PLAINTIFF, JUANITA LEWIS-HATTON v.  
DEFENDANT, WAL-MART STORES, INC.- NEGLIGENCE

13. Plaintiff repeats the allegations contained in paragraphs one (1) through twelve (12) of the Complaint and incorporates them by reference herein as if pleaded at length;
14. Defendant, Wal-Mart Stores, Inc., was negligent in:
  - (a) Causing the floor to accumulate a large amount of produce, food and other debris;
  - (b) Permitting the floor to remain in a dangerous condition;
  - (c) Failing to make safe the dangerous condition;
  - (d) Failing to warn the Plaintiff of the dangerous condition;
  - (e) Failing to provide adequate safety precautions to prevent injury to Plaintiff;
  - (f) Failing to erect and maintain a proper barrier preventing persons from encountering said dangerous condition;
  - (g) Failing to use reasonable prudence and care to keep said floor in a safe condition for people such as Plaintiff; and
  - (h) Defendant was otherwise negligent, careless, and/or reckless in the care of said floor.

WHEREFORE, Plaintiff, Juanita Lewis-Hatton, does demand judgment in her favor, on this count alone, and against the Defendant, Wal-Mart Stores, Inc., in an amount not in excess of fifty thousand dollars (\$50,000.00), together with costs according to law.

CHRISTOPHER L. GIDDINGS, P.C.

Date: 10.9.13

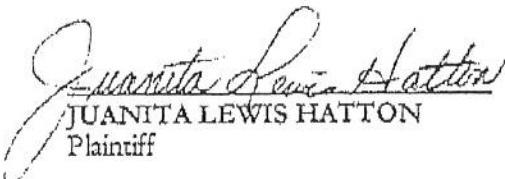
By: J.A.S.

John A. Spittle, Esquire  
Attorney for Plaintiff

VERIFICATION

JUANITA LEWIS-HATTON hereby states that she is the Plaintiff in this action and verifies the statements made in the foregoing pleading are true and correct, to the best of her knowledge, information and belief. The undersigned understands that the statements there in are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

DATE: 10/9/13

  
JUANITA LEWIS HATTON  
Plaintiff